



SOBEL PEVZNER, LLC

NEW YORK ♦ NEW JERSEY ♦ PENNSYLVANIA

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March 22, 2024

VIA ECF

Hon. Naomi Reice Buchwald
U.S. District Court Judge
U.S. District Court, Southern District of N.Y.
Daniel Patrick Moynihan, United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Margaret Betts v. Sixty Lower East Side, LLC, Sixty
Hotels, LLC and Sixty Hotel Manager, LLC*
Civil Action No.: 1:20-cv-04772 (NRB)
File No.: H-14394

Dear Judge Buchwald:

Pursuant to your Honor's Order of January 23, 2024, the defendants' respectfully submit this status report to inform the Court of the progress of the discovery in this matter.

We have diligently processed the plaintiff's medical authorizations and are awaiting receipt of all the records. This process is taking longer than usual due to the extreme volume of plaintiff's records and location of the out of state health care providers, many of which were never provided by plaintiff's predecessor. Therefore, the defendants respectfully reiterate our request for a further deposition of plaintiff on these records and treatment.

Although the medical records have not yet been provided to defendants' expert, Dr. Julie Medlin, she was kind enough to provide us with her upcoming availability on *April 9th and April 11th*. Her evaluation will take a full day so she recommends breaking up the exam into two separate days in order to make it more comfortable and less tiring for the plaintiff. We wish to respectfully advise your Honor that Dr. Melin will also require a substantial amount of time to review plaintiff's voluminous records.



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In response to plaintiff's continued allegations concerning the disclosure of excess insurance information, we wish to advise this Court that on multiple occasions we have provided both plaintiff's current counsel and former counsel with defendants' excess insurance coverage. On the date of plaintiff's alleged incident, Sixty Hotels, LLC, maintained excess insurance coverage with XL Insurance America under policy number AUR0501344 with limits of 25 million dollars.

Thank you for your consideration and courtesies with respect to this matter.

Respectfully submitted,

SOBEL PEVZNER, LLC

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CURTIS SOBEL

CS:lm1

cc: Napoli Shkolnik, PLLC (*Via ECF*)

The Court is in receipt of the parties' letters of March 21 and 22, 2024. First, in accordance with Federal Rule of Civil Procedure 26(a)(1)(A)(iv), defendants shall produce to plaintiff copies of the relevant insurance policies. Second, the Court is hopeful that the additional medical records that have not yet been produced will be produced in sufficient time for the examination of the plaintiff to occur. Third, in light of the apparently numerous additional medical records that were not produced prior to plaintiff's first deposition, the Court is receptive to defendants' request for an additional deposition of plaintiff. Finally, the Court would be pleased to hold another conference following the examination of the plaintiff and the scheduling of her follow-up deposition. The Clerk of Court is requested to terminate the pending motions at ECF Nos. 83-86, 98, 101.

So ordered.

A handwritten signature in blue ink, reading "Hon. Lucia Buchwald, USDC".

Dated: March 26, 2024
New York, New York